



General Assembly

Substitute Bill No. 40

January Session, 2007

* SB00040JUD__051607__ *

**AN ACT LIMITING THE LENGTH OF TIME TO FILE A COMPLAINT
WITH THE STATE ELECTIONS ENFORCEMENT COMMISSION
AGAINST A CANDIDATE COMMITTEE.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (g) of section 9-7a of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2007*):

4 (g) In the case of a written complaint timely filed with the
5 commission pursuant to section 9-7b, as amended by this act, [on or
6 after January 1, 1988,] if the commission does not, by the sixtieth day
7 following receipt of the complaint, either issue a decision or render its
8 determination that probable cause or no probable cause exists for one
9 or more violations of state election laws, the complainant or
10 respondent may apply to the superior court for the judicial district of
11 Hartford for an order to show cause why the commission has not acted
12 upon the complaint and to provide evidence that the commission has
13 unreasonably delayed action. Such proceeding shall be privileged with
14 respect to assignment for trial. The commission shall appear and give
15 appropriate explanation in the matter. The court may, in its discretion,
16 order the commission to: (1) Continue to proceed pursuant to section
17 9-7b, as amended by this act, (2) act by a date certain, or (3) refer the
18 complaint to the Chief State's Attorney. Nothing in this subsection
19 shall require the commission, in any proceeding brought pursuant to

20 this subsection, to disclose records or documents which are not
 21 required to be disclosed pursuant to subsection (b) of section 1-210.
 22 Nothing in this subsection shall preclude the commission from
 23 continuing its investigation or taking any action permitted by section
 24 9-7b, as amended by this act, unless otherwise ordered by the court.
 25 The commission or any other party may, within seven days after a
 26 decision by the court under this subsection, file an appeal of the
 27 decision with the Appellate Court.

28 Sec. 2. Section 9-7b of the general statutes is amended by adding
 29 subsection (c) as follows (*Effective October 1, 2007*):

30 (NEW) (c) The commission shall not accept a written complaint
 31 under oath by an individual, as described in subdivision (1) of
 32 subsection (a) of this section, that is filed against a candidate
 33 committee, more than one year after the filing of such candidate
 34 committee's final statement to the commission pursuant to section 9-
 35 608.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2007</i>	9-7a(g)
Sec. 2	<i>October 1, 2007</i>	9-7b

GAE *Joint Favorable Subst.*

JUD *Joint Favorable*